TECH FORES

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

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CLEAN COLUMN TO UNIT WESTERN OF TEXAS

MONARCH INVESTMENTS, LLC, Plaintiff,	§ §
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VS.	8
	§
ELIAS V. LORENZANA, JR., FERNANDO	§
AURRECOECHEA, ALEJANDRO	§
AURRECOECHEA, WAYNE CADENA,	§
CANDICE AGUIRRE, NASH MARTINEZ,	§
LUCY CADENA, LORENZANA & SARHAN,	§
INC., THE LORENZANA LAW FIRM, PC,	§
KHALED M. SARHAN, ELIAS J. LORENZANA,	§
M.D., LORENCO, INC., TEXAS ECONOMIC	§

REGIONAL CENTER HOLDING COMPANY, LLC, and UNITED PILLARS GROUP, LLC

Case No. 1:14-cv-01019-SS

## EROPOSED SCHEDULING ORDER

§

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following scheduling order.

## IT IS ORDERED THAT:

Defendants.

- 1. A report on alternative dispute resolution in compliance with Local Rule CV-88 shall be filed by **February 20, 2015**.
- 2. The parties asserting claims for relief shall submit a written offer of settlement to opposing parties by <u>May 15, 2015</u>, and each opposing party shall respond, in writing, by <u>May 29</u>, <u>2015</u>. All offers of settlement are to be private, not filed, and the Court is not to be advised of the same except as set forth in the following sentence. The parties are further ORDERED to retain the written offers of settlement and responses as the Court will use these in assessing attorney's fees and court costs at the conclusion of trial.

- 3. Each party shall complete the attached "Notice Concerning Reference to United States Magistrate Judge" on or before <u>April 1, 2015</u>.
- 4. The parties shall file all amended or supplemental pleadings and shall join additional parties on or before **April 15, 2015**.
- 5. Any party asserting claims for affirmative relief shall disclose its designation of potential witnesses, testifying experts, and proposed exhibits by serving, not filing, the designation on all parties by <a href="Mayert-14.2015">August 14, 2015</a>. Any party resisting claims for relief shall disclose its designation of potential witnesses, testifying experts, and proposed exhibits by serving, not filing, the designation on all parties by <a href="September 15, 2015">September 15, 2015</a>. All designations of rebuttal experts shall be filed and served, not filed, within 15 days of receipt of the report of the opposing expert. Any witness who will present any opinion in trial is considered an expert, and the disclosure must contain a written summary of the witness's testimony in an expert report. The Federal Rule of Civil Procedure 26 standard is not applicable to this paragraph; it does not make any difference whether or not the expert witness is a "retained expert," as any opinion or testimony of any expert not contained in the expert report will not be permitted at trial.
- 6. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within **eleven (11)** days of receipt of the written report of the expert's proposed testimony or within **eleven (11)** days of the expert's deposition, if a deposition is taken, whichever is later.

7. The parties shall complete discovery on or before <u>October 30, 2015</u>. Counsel may, by agreement, continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

8. All dispositive motions shall be filed no later than **November 30, 2015** and shall be limited to twenty (20) pages. Responses to dispositive motions shall be filed not later than fourteen (14) days after filing of the motion and shall be limited to twenty (20) pages. A reply in support of a dispositive motion shall be filed not later than seven (7) after filing of the response to the motion and shall be limited to ten (10) pages, but the Court need not wait for the reply before ruling on the motion.

9. This case is set for docket call on October 28, 2016 and trial in the Movement Sal month of Echropy, 2016. At docket call, the parties shall submit a short, one paragraph statement of the parties' contentions, voir dire questions, proposed jury instructions and verdict forms, exhibit and witness lists, and any motions in limine.

SIGNED this /4 to day of \_\_\_\_\_\_\_\_, 2015.

SAM SPARKS,

UNITED STATES DISTRICT JUDGE